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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,004	12/29/2000	Mikio Iwamura	15689.63	3051

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EXAMINER	
RAMOS FELICIANO, ELISEO	
ART UNIT	**PAPER NUMBER**
2681	14

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/743,004	Applicant(s) IWAMURA ET AL.	
	Examiner Eliseo Ramos-Feliciano	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-126* is/are pending in the application.

4a) Of the above claim(s) *16-36 and 67-126* is/are withdrawn from consideration.

5)☒ Claim(s) *9,12,50,51 and 60-64* is/are allowed.

6)☒ Claim(s) *1-7,10,13,37-40,42-45,58,59,65 and 66* is/are rejected.

7)☒ Claim(s) *8,11,14,15,41,46-49 and 52-57* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4, 11*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of **Group I (claims 1-15 and 37-66)** in the reply filed on June 30, 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Information Disclosure Statement

2. The information disclosure statement filed September 11, 2001 fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

3. The references listed in the Information Disclosure Statement filed on July 17, 2001 and August 25, 2003 have been considered by the examiner (see attached PTO-1449 form).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-7, 10, 13, 37-40, 42-45, 58, 59, 65 and 66** rejected under 35 U.S.C. 102(b) as being anticipated by Hamabe (US Patent Number 5,603,082).

Regarding **claim 1**, Hamabe discloses a channel identifier assigning (allocation) method of assigning channel identifiers to sectors in a mobile communications system (Figure 1) which

allows a mobile station (21) communicating with a plurality of base stations (11-13) to decide sectors the mobile station waits for or communicates with, by using grouped channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from the sectors (at the BS) to the mobile station, said channel identifier assigning method comprising the step of:

assigning channel identifiers belonging to a same group (for example, group 1: slots 1-6 are assigned to BS 11) to the sectors in a same base station. (See column 7, line 55 to column 8, line 20; column 9, lines 41-55).

Regarding **claim 2**, Hamabe discloses everything claimed as applied above (see *claim 1*). In addition, the method further includes assigning contiguous base stations channel identifiers belonging to other groups (for example, group 2: slots 7-12 assigned to BS 12 contiguous to BS 11). (See column 7, lines 55-67).

Regarding **claim 37**, Hamabe discloses everything claimed as applied above (see *claim 1*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 42**, Hamabe discloses everything claimed as applied above (see *claim 1*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Regarding **claim 3**, Hamabe discloses a mobile communications system (Figure 1) including a mobile station (21) that communicates with a plurality of base stations (11-13), and decides sectors the mobile station waits for or communicates with by using grouped channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from sectors (at the BS) to the mobile station,

wherein said mobile communications system assigns channel identifiers belonging to a same group (for example, group 1: slots 1-6 are assigned to BS 11) to the sectors in a same base station. (See column 7, line 55 to column 8, line 20; column 9, lines 41-55).

Regarding **claim 4**, Hamabe discloses everything claimed as applied above (see *claim 3*). In addition, the system further includes assigning contiguous base stations channel identifiers belonging to other groups (for example, group 2: slots 7-12 assigned to BS 12 contiguous to BS 11). (See column 7, lines 55-67).

Regarding **claim 38**, Hamabe discloses everything claimed as applied above (see *claim 3*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 43**, Hamabe discloses everything claimed as applied above (see *claim 3*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Regarding **claim 5**, Hamabe discloses a base station (11) in a mobile communications system (Figure 1) allowing a mobile station (21) communicating with a plurality of base stations (11-13) to decide sectors the mobile station waits for or communicates with, by using a perch channel signal (control channel; column 5, lines 64-67) including group channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from sectors (at the BS) to the mobile station, wherein the base station assigns its sectors channel identifiers belonging to a same group. (See column 7, line 55 to column 8, line 20; column 9, lines 41-55).

Regarding **claim 6**, Hamabe discloses everything claimed as applied above (see *claim 6*). In addition, the system further includes assigning contiguous base stations channel identifiers

belonging to other groups (for example, group 2: slots 7-12 assigned to BS 12 contiguous to BS 11). (See column 7, lines 55-67).

Regarding **claim 40**, Hamabe discloses everything claimed as applied above (see *claim 5*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 45**, Hamabe discloses everything claimed as applied above (see *claim 5*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Regarding **claim 7**, Hamabe discloses a method of searching for a neighboring cell utilizing information (identification signal containing channel identifier) sent from sectors (at BS 11-13) to a mobile station (21) in a mobile communications system (Figure 1) allowing the mobile station (21) communicating with a plurality of base stations (11-13) to decide a sector the mobile station waits for or communicates with, by using grouped channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from sectors (at the BS) to the mobile station, including the steps of:

assigning channel identifiers belonging to a same group (for example, group 1: slots 1-6 are assigned to BS 11) to the sectors within a same base station. (See column 7, line 55 to column 8, line 20)

sending from a base station (11) to a visiting mobile station (mobile station 21 is "visiting") a notification (identification signal) of any one of channel identifiers assigned to sectors of one of neighboring base stations, and/or a notification of a group number to which the channel identifiers belong. (See column 9, lines 41-55).

Regarding **claim 39**, Hamabe discloses everything claimed as applied above (see *claim 7*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 44**, Hamabe discloses everything claimed as applied above (see *claim 7*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Regarding **claim 10**, Hamabe discloses a mobile communications system (Figure 1) allowing the mobile station (21) communicating with a plurality of base stations (11-13) to decide a sector the mobile station waits for or communicates with, by using grouped channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from sectors (at the BS) to the mobile station, including:

means for (inherent) assigning channel identifiers belonging to a same group (for example, group 1: slots 1-6 are assigned to BS 11) to the sectors within a same base station. (See column 7, line 55 to column 8, line 20; column 10, lines 20-58; column 12, lines 1-33)

means for (inherent) sending from a base station (11) to a visiting mobile station (mobile station 21 is "visiting") a notification (identification signal) of any one of channel identifiers assigned to sectors of one of neighboring base stations, and/or a notification of a group number to which the channel identifiers belong. (See column 9, lines 41-55; column 10, lines 20-58; column 12, lines 1-33).

Regarding **claim 58**, Hamabe discloses everything claimed as applied above (see *claim 10*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 59**, Hamabe discloses everything claimed as applied above (see *claim 10*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Regarding **claim 13**, Hamabe discloses a base station (11) in a mobile communications system (Figure 1) allowing the mobile station (21) communicating with a plurality of base stations (11-13) to decide a sector the mobile station waits for or communicates with, by using grouped channel identifiers (for example, group 1: slots 1-6; group 2: slots 7-12; group 3: slots 13-18) sent from sectors (at the BS) to the mobile station, including the steps of:

means for (inherent) assigning channel identifiers belonging to a same group (for example, group 1: slots 1-6 are assigned to BS 11) to the sectors within a same base station. (See column 7, line 55 to column 8, line 20; column 10, lines 20-58; column 12, lines 1-33)

means for (inherent) sending from a base station (11) to a visiting mobile station (mobile station 21 is "visiting") a notification (identification signal) of any one of channel identifiers assigned to sectors of one of neighboring base stations, and/or a notification of a group number to which the channel identifiers belong. (See column 9, lines 41-55; column 10, lines 20-58; column 12, lines 1-33).

Regarding **claim 65**, Hamabe discloses everything claimed as applied above (see *claim 13*). In addition, the channel identifier consists of a spreading code or a carrier frequency (column 1, line 35: Hamabe's channel is carrier frequency; therefore,).

Regarding **claim 66**, Hamabe discloses everything claimed as applied above (see *claim 13*). In addition, the channel identifier is included in a perch channel (control channel) signal (column 5, lines 64-67).

Allowable Subject Matter

6. **Claims 8, 11, 14, 15, 41, 46-49 and 52-57** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. **Claims 9, 12, 50, 51 and 60-64** are allowed.

Conclusion

8. Any inquiry concerning this communication from the examiner should be directed to Eliseo Ramos-Feliciano whose telephone number is 703-305-0078. The examiner can normally be reached from 8:00 a.m. to 5:30 p.m. on 5-4/9 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth, can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ELISEO RAMOS-FELICIANO
PATENT EXAMINER 9-30-04

ERF/erf
September 30, 2004.